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May 13, 2003

The Honorable John D. Ashcroft
Attorney General of the United States
U. S. Department of Justice
950 Pennsylvania Ave., NW
Washington, DC 20530

Dear Attorney General Ashcroft:

We are writing as Members of the House Judiciary Committee (and a Member of Congress from the State of Texas), about a troubling situation that has come to our attention. We have been informed that State officials have sought Federal intervention regarding the decision of duly elected members of the Texas legislature who have indicated to the Texas House leadership that they would be absent from Floor sessions beginning on May 12, 2003.

We raise immediate objection against any State legislator being detained by the Federal Bureau of Investigation, the Department of Justice, and/or any other Federal agencies in this case. We believe the legislators' Constitutional rights would be violated if such actions were taken. Since there is no Federal nexus or question and there are no grounds for the Federal government to intervene in this instance, any action by the Justice Department would seem purely political.

Please advise us on what authority any Federal intervention would be based, and what precedent, if any, exists for Federal action in such a case involving sensitive constitutional and separation of powers issues.

The Honorable John D. Ashcroft

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We would appreciate your response on this time sensitive matter by close of business tomorrow. Thank you.

Sincerely,

John Lamy, Jr.
Rene J. Sanchez

Mike Jacobson
Robert Wepler

cc: The Honorable F. James Sensenbrenner, Jr.
Chairman, Committee on the Judiciary